

UNITED STATES DISTRICT COURT

Southern

District of

New York

RICARDO R. RODRIGUEZ,
Plaintiff,

V.

TOYS "R" US-VALUE, INC.
Defendant.

SUMMONS IN A CIVIL ACTION

ECF CASE

CASE NUMBER: 07 Civ 8365

TO: (Name and address of Defendant)

TOYS "R" US-VALUE, INC.
C/O TAX DEPT.
ONE GEOFFREY WAY
WAYNE, NEW JERSEY 07470

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

MARLEN S. BODDEN, ESQ.
THE LEGAL AID SOCIETY
199 WATER STREET, 3RD FLOOR
NEW YORK, NEW YORK 10038

an answer to the complaint which is served on you with this summons, within TWENTY (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

[Signature]

(BY DEPUTY CLERK)

DATE

SEP 26 2007

AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE

Index # 07 CIV 8365

Purchased/Filed: September 26, 2007

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN COUNTY

Ricardo R. Rodriguez

Plaintiff

against

Toys "R" US-Value, Inc.

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on October 1, 2007, at 11:45am, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed Summons in a Civil Case, Complaint, Individual Practice Rules of U.S.D.C. Judge Kaplan and U.S.M.J. Gorenstein Bearing the above Index # and Filing Date on Toys "R" US-Value, Inc., the Defendant in this action, by delivering to and leaving with Carol Vogt, AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 2 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40.00 dollars; That said service was made pursuant to Section 306 Business Corporation Law.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 46 Approx. Wt: 110 lbs. Approx. Ht: 5' 1"
Color of skin: White Hair color: Brown Sex: Female Other: glasses

Sworn to before me on this

3rd day of October 2007

Deborah A Bottisti (Bottisti)

DEBORAH A BOTTISTI
NOTARY PUBLIC, State of New York
No 01BO6036756, Qualified in Albany County
Commission Expires February 7, 2010

Jessica Miller

Invoice-Work Order # 0610912